

House Panel Votes to Curtail

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House Ways and Means Committee Republicans have approved a dramatic cut in the federal welfare program that supports severely disabled, low-income children.

Alarmed by a rapid increase in beneficiaries—which has pushed the caseload to 890,000—and convinced that a 1990 Supreme Court decision makes it too easy to qualify, committee Republicans led by Rep. Jim McCrery (La.) voted for major changes in the \$5 billion-a-year Supplemental Security Income (SSI) disabled children's program.

The changes would cut the program over the next five years by \$10.9 billion—reducing spending 33 percent below what would be spent under current law between 1996 and 2000. Proportionately that is far greater than the 11 percent being cut, for example, from food stamps. Under the proposal:

- Eligibility changes based on the 1990 court ruling would be nullified both retroactively and for future applicants. More than 225,000 children now receiving benefits as a result of the decision would be removed from the rolls.

- Only 30 percent of children who come onto the rolls in the future will receive cash benefits—those so disabled that they need “special personal assistance” much of the time to survive and avoid being institutionalized.

- The other 70 percent of those qualifying in the future would not receive cash benefits but instead could receive only Medicaid plus added state-administered services financed by block grants to the states. The grants would cost the government

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Program for Disabled

Children

less than if this group of children had continued to receive cash benefits, which go up to \$458 a month.

Groups representing the disabled are fighting the changes.

“It’s an unprecedented assault on low-income families raising children with severe disabilities,” said Rhoda Schulzinger of the Bazelon Center on Mental Health Law.

“Many hundreds of thousands of children who most people in this country would consider the most deserving of government support would be pushed off the rolls or rejected if applying for the first time,” said Jonathan Stein of Community Legal Services of Philadelphia.

quires a shunt to drain cerebrospinal fluid from her brain to abdominal cavity. She suffers partial paralysis of the legs, bowel and bladder, a condition that requires frequent catheterization.

McCrery said the 1990 Supreme Court decision loosened eligibility, making it possible for children with relatively mild disabilities to get benefits. He cited numerous reports of children whose parents instructed them to fake retardation or attention disorders to get the federal cash benefit.

“It is my intention that if any child is severely disabled, he should be able to qualify,” he said.

Stein cited examples of children who, he said, are severely disabled who would not qualify under the rules sought by McCrery:

- Six-year-old Jennifer Cox suffers from congenital bowel malformation requiring a colostomy. She also suffers from eye problems and lacks peripheral vision, causing her to run into walls. At 6, she was not yet toilet-trained.

- Kendra Whalon, 2, suffers from a rare growth condition in which one arm is twice as long as the other, causing loss of balance, motor impairment, spinal curvature and loss of lung volume.

- Monisha Smith, 10 months old, re-

Until 1990, the program served children under 18 whose mental and physical disabilities were so severe that they met criteria spelled out by the Social Security Administration. However, in 1990, in the Zebley case, brought by Stein, the Supreme Court ruled that if a child did not meet those criteria, he or she could still qualify if found unable to function at the appropriate age level. The program has grown from 290,000 recipients, costing \$1.3 billion in 1989, to 890,000 and \$5 billion today.

McCrery contends that the functional capacity test is too subjective. He proposes to abolish it and to re-

move from the rolls all those who had qualified through it. Some children might well requalify because the program can grant benefits to children who, while not meeting a specific criterion, have disabilities equal in severity.

Stein said, "The functional test is essential. There are hundreds of rare diseases not listed in the specific medical criteria. Moreover, you can't test a 2-year-old for IQ."

McCrery also wants to make sure that the government's money goes to help the child and is not spent for other purposes by the family. That is why his proposal allows cash benefits for new applicants only if they need "special personal assistance" to live.

But Schulzinger argues, "Cash is by far the most flexible way to meet the day-to-day needs of your child—and particularly to allow a caretaker parent to stay at home to attend to the child—that's often what the child needs most."

Despite objections in committee from Reps. Sander Levin (D-Mich.) and Fortney "Pete" Stark (D-Calif.), McCrery's plan appears headed for the floor. The Senate could be different.

"It's cruel," said Sen. Daniel Patrick Moynihan (D-N.Y.), ranking minority member on the Senate Finance Committee, which will handle the proposal in the Senate. Chairman Bob Packwood (R-Ore.) said last week that while he has "no philosophical objection" to a block grant, "it may be too much to digest this year."